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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

PACHOL, NICHOLAS C

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/823,064	Applicant(s) NUGGEHALLI ET AL.	
	Examiner Nicholas C. Pachol	Art Unit 2625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 July 2010.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2,4-6,8,9 and 12-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,4-6,8,9 and 12-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>05/20/10 & 08/27/10</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 1, 2, 4-9, and 12-20 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, 2 and 8-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Perkins (US 2003/0184782) in view of Lahey (US 6,587,217).

Regarding Claim 1, Perkins teaches an apparatus (Page 1, paragraph 1) comprising: a non-volatile storage device (Page 2, paragraph 21);
an application program (Page 1, paragraph 18); and
a printer driver (Page 2, paragraph 21) configured to retrieve configuration data from a printing device (Page 2, paragraph 21), wherein the configuration data includes command data (Page 2, paragraph 21),
cause the configuration data to be stored on the non-volatile storage device (Page 2, paragraph 21), and

use the command data included in the configuration data to translate a first command generated by the application program into a second command supported by the printing device (Page 2, paragraph 22).

Perkins does not teach wherein the configuration data includes program logic used by the printer driver.

However Lahey does teach wherein the configuration data includes program logic used by the printer driver (Column 8, lines 35-47 and Column 11, lines 11-52 and Figure 12, wherein the paper type corresponds to what is available in the printer. By having the types of paper associated with the option of selecting the paper type, this is logic data in regards to the paper type. By the definition of logic state in the claims, this satisfies a form of logic because the paper type would be an installed option and the types of paper would be the option attribute), wherein the program logic data indicates dependencies between installed options and option attributes on the printing device (Column 8, lines 35-47 and Column 11, lines 11-52 and Figure 12).

Perkins in view of Lahey teaches use the program logic data retrieved from the printing device to:

generate one or more graphical user interface objects that are displayed on a graphical user interface in association with the printing of an electronic document to the printing device, wherein the one or more graphical user interface objects indicate the installed options and available option attributes for the printing device as indicated by the program logic data, and

in response to a user selection, from the one or more graphical user interface objects, of a particular graphical user interface object that corresponds to a particular installed option, generate and cause to be displayed on the graphical user interface one or more other graphical user interface objects that visually depict one or more option attributes that are available for the particular installed option on the printing device (Perkins: Figure 5 and Page 3, paragraph 35, wherein the options are installed in order to be accessed for each printer. Perkins shows that the print options are dependent upon one other. This is a form of logic. However, Lahey teaches the logic data in combination with the configuration data in Column 8, lines 35-47 and Column 11, lines 11-52 and Figure 12. The combination of both Perkins and Lahey show how the logic data would relate to the dependencies in the printer driver.).

Perkins and Lahey are combinable because they both deal with interfaces in regards to printers and printer drivers.

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Perkins with the teachings of Lahey for the purpose of providing a GUI that interfaces with a server database and library to perform searches (Lahey Column 3, lines 41-43).

Regarding Claim 2, Perkins further teaches wherein the printer driver is configured to use the configuration data to facilitate printing of an electronic document (Page 2, paragraph 23).

Regarding Claim 8, Perkins further teaches wherein the configuration data indicates one or more source trays available on the printing device (Figure 5 and Page 3, paragraph 5, wherein the paper sizes are stored on individual source trays).

Regarding Claim 9, Perkins does not teach wherein the configuration data indicates one or more media types available on the printing device.

However, Lahey does teach wherein the configuration data indicates one or more media types available on the printing device (Column 8, lines 35-47).

Perkins and Lahey are combinable because they both deal with interfaces in regards to printers and printer drivers.

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Perkins with the teachings of Lahey for the purpose of providing a GUI that interfaces with a server database and library to perform searches (Lahey Column 3, lines 41-43).

4. Claims 4-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Perkins (US 2003/0184782) in view of Lahey (US 6,587,217) further in view of Hanson (US 6,148,346).

Regarding Claim 4, Perkins in view of Lahey does not teach wherein: configuration data includes bitmap data for the printing device, and the printer driver is

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configured to cause the bitmap data to be displayed on a graphical user interface in association with the printing of an electronic document.

However, Hanson does teach wherein: configuration data includes bitmap data for the printing device (Column 5, lines 13-22, where the bitmap data is taken as a form of graphical data), and the printer driver is configured to cause the bitmap data to be displayed on a graphical user interface in association with the printing of an electronic document (Column 5, lines 13-22).

Perkins and Hanson are combinable because they are both dealing with a user working with printer drivers.

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Perkins in view of Lahey with the teachings of Hanson for the purpose of allowing for two way communications between a computer and a printer (Hanson: Column 2, lines 1-5).

Regarding Claim 5, Perkins in view of Lahey does not teach wherein the printer driver is further configured to cause to be displayed on the graphical user interface, a graphical user interface object that includes a link with a URL associated with bitmap data included in the configuration data stored on the printing device.

However Hanson does teach wherein the printer driver is further configured to cause to be displayed on the graphical user interface, a graphical user interface object that includes a link with a URL associated with bitmap data included in the configuration

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data stored on the printing device (Column 5, lines 23-43, where the bitmap data is taken as a form of graphical data and the URL is treated as a link to another menu).

Perkins and Hanson are combinable because they are both dealing with a GUI in relation to printer drivers.

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Perkins in view of Lahey with the teachings of Hanson for the purpose of allowing for two way communications between a computer and a printer (Hanson: Column 2, lines 1-5).

Regarding Claim 6, Perkins in view of Lahey does not teach wherein the printer driver is further configured to in response to detecting a user selection of the link, retrieve the bitmap data from the printing device and cause the bitmap data to be displayed on the graphical user interface.

Hanson teaches wherein the printer driver is further configured to in response to detecting a user selection of the link, retrieve the bitmap data from the printing device and cause the bitmap data to be displayed on the graphical user interface (Column 5, lines 23-43, where the bitmap data is taken as a form of graphical data and the URL is treated as a link to another menu).

Perkins and Hanson are combinable because they are both dealing with a GUI in relation to printer drivers.

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Perkins in view of Lahey with the

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teachings of Hanson for the purpose of allowing for two way communications between a computer and a printer (Hanson: Column 2, lines 1-5).

5. Claims 12 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Perkins (US 2003/0184782) in view of Lahey (US 6,587,217) further in view of Allen (US 2004/0143651).

Regarding Claim 12, Perkins in view of Lahey does not teach wherein: the configuration data includes first version identification data that indicates a version of the configuration data retrieved by the printer driver, and the printer driver is further configured to:

retrieve second version identification data from the printing device, wherein the second version identification data indicates a version of the configuration data maintained on the printing device,

compare the first version identification data to the second version identification data, and if the comparison of the first version identification data to the second version identification data indicates that the version of configuration data maintained on the printing device is more recent than the version of configuration data retrieved by the printer driver, then the printer driver retrieving the more recent version of the configuration data from the printing device.

However, Taylor does teach wherein: the configuration data includes first version identification data that indicates a version of the configuration data retrieved by the

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printer driver (Page 4, paragraphs 35 and 36) and the printer driver is further configured to:

retrieve second version identification data from the printing device, wherein the second version identification data indicates a version of the configuration data maintained on the printing device (Page 4, paragraphs 35 and 36),

compare the first version identification data to the second version identification data (Page 4, paragraphs 35 and 36), and if the comparison of the first version identification data to the second version identification data indicates that the version of configuration data maintained on the printing device is more recent than the version of configuration data retrieved by the printer driver, then the printer driver retrieving the more recent version of the configuration data from the printing device (Page 4, paragraphs 35 and 36).

Perkins and Taylor are combinable because they both are dealing with working with printer drivers.

Therefore it is obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Perkins in view of Lahey with the teachings of Taylor for the purpose of making sure that the client computer possesses the current printer properties (Taylor: Page 1, paragraph 9).

Regarding Claim 13, Perkins in view of Lahey does not teach wherein the printer driver is configured to retrieve the configuration data from the printing device in

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response to an indication that the printer driver is not fully compatible with the printing device.

However, Allen does teach wherein the printer driver is configured to retrieve the configuration data from the printing device in response to an indication that the printer driver is not fully compatible with the printing device (Page 4, paragraphs 35 and 36).

Perkins and Taylor are combinable because they both are dealing with working with printer drivers.

Therefore it is obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Perkins in view of Lahey with the teachings of Taylor for the purpose of making sure that the client computer possesses the current printer properties (Taylor: Page 1, paragraph 9).

6. Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Perkins (US 2003/0184782) in view of Lahey (US 6,587,217) further in view of Vidyanand (US 6,967,728).

Regarding Claim 14, Perkins in view of Lahey does not teach wherein the printer driver is further configured to: retrieve second configuration data from a second printing device, and cause the second configuration data to be stored on the non-volatile storage device.

However Vidyanand does teach wherein the printer driver is further configured to: retrieve second configuration data from a second printing device (Column 3, lines 28-

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48) cause the second configuration data to be stored on the non-volatile storage device (Column 5, lines 23-28).

Perkins and Vidyanand are combinable because they both deal with installing printer drivers.

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Perkins in view of Lahey with the teachings of Vidyanand for the purpose of providing transferable printer drive preferences (Vidyanand : Column 3, lines 18-24).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nicholas C. Pachol whose telephone number is 571-270-3433. The examiner can normally be reached on M-Thr, 8:00 a.m.- 4:00 p.m. (EST), Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Twyler L. Haskins can be reached on 571-272-7406. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/N. C. P./
Examiner, Art Unit 2625

09/02/10

/Twyler L. Haskins/
Supervisory Patent Examiner, Art Unit 2625